

## **II. REMARKS**

### **A. Status of the Claims**

Claims 2-8, 10, 12-32 and 44-55 were pending in the application at the time of the mail date of the Office Action, with claims 6, 7, 10, 12, 13, 16-19, 25, 30, 32, 44, 45, 48-50, and 52-55 having been withdrawn from consideration. Claims 8, 26, and 47 were objected to in the Office Action mailed on 5/28/09 as being dependent upon a rejected base claim; the Office Action indicates that these claims would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claim. In the present Amendment, claim 8 has been amended to be in independent form, and claims 27-30, 32, and 47 has been amended to depend from claim 8. Claim 26 has been amended to be in independent form, and claims 4-5, 8, 14-17, 20, 23, 24, 25, 31, 44-46, and 48-55 have been amended to depend from claim 26. Claim 3 has been canceled without prejudice or disclaimer. Thus, claims 8 and 26 (now being in independent form) should now be allowable, along with the remaining claims each of which now depends directly or indirectly from claim 8 or 26. Applicants specifically reserve the right to prosecute the claims as originally written in a continuation or divisional application.

### **B. The Objection to the Drawings is Overcome**

The drawings are objected to because they are said to contain handwritten text. Applicants concurrently file herewith corrected drawing sheets in compliance with 37 C.F.R. 1.121(d).

**C. The Rejections Under 35 U.S.C. §102 Are Moot**

**1. Rejection Based on Parker *et al.* As Evidenced by An Admission in U.S. 2005/0169934**

Claims 3-5, 14, 23, 27-29, 31, and 46 are rejected under 35 U.S.C. §102(b) as being anticipated by Parker *et al.* (J. Immunol. 1992, 149(6):1896-1904; hereinafter “Parker”) as evidenced by an admission in U.S. 2005/0169934. Applicants respectfully traverse.

Applicants note that in view of the Amendment set forth herein, claim 3 has been canceled, and claims 8 and 26 have been amended to be in independent form. The claims at issue in this rejection now depend from either independent claim 8 or independent claim 26, two claims which were not included in this rejection and thus considered by the Examiner to be novel in view of the cited prior art. Therefore, the rejection of claims 3-5, 14, 23, 27-29, 31, and 46 under 35 U.S.C. §102(b) is moot and Applicants respectfully request withdrawal of this rejection.

**2. Rejection Based on Krebs *et al.* As Evidenced by An Admission in U.S. 2005/0169934**

Claims 3-5, 14, 15, 24, 27-29, and 51 are rejected under 35 U.S.C. §102(b) as being anticipated by Krebs *et al.* (J. Peptide Science, 1998, 4:378-388; hereinafter “Krebs”) as evidenced by an admission in U.S. 2005/0169934. Applicants respectfully traverse.

As noted above, claim 3 has been canceled, and claims 8 and 26 have been amended to be in independent form. The claims at issue in this rejection depend from either independent claim 8 or independent claim 26, two claims which were not included in this rejection and thus considered by the Examiner to be novel over the cited prior art. Therefore, the rejection of claims 3-5, 14, 15, 24, 27-29, and 51 under 35 U.S.C. §102(b) in view of Krebs is moot and Applicants respectfully request withdrawal of this rejection.

**3. Rejection Based on Rognan et al. As Evidenced by An Admission in U.S. 2005/0169934**

Claims 3-5, 14, 15, 24, 27-29, and 51 are rejected under 35 U.S.C. §102(b) as being anticipated by Rognan *et al.* (PNAS USA 1995, 92:753-757; hereinafter “Rognan”) as evidenced by an admission in U.S. 2005/0169934. Applicants respectfully traverse.

As noted above, claim 3 has been canceled, and claims 8 and 26 have been amended to be in independent form. The claims at issue in this rejection depend from either independent claim 8 or independent claim 26, two claims which were not included in this rejection and thus considered by the Examiner to be novel over the cited prior art. Therefore, the rejection of claims 3-5, 14, 15, 24, 27-29, and 51 under 35 U.S.C. §102(b) in view of Rognan is moot and Applicants respectfully request withdrawal of this rejection.

**D. The Rejection Under 35 U.S.C. §103(a) Is Overcome**

Claims 3-5, 14, 23, 20-22, 27-29, 31, and 46 are rejected under 35 U.S.C. §103(a) as being unpatentable over Parker (as above) in view of Anderson *et al.* (Cancer. Immunol. Immunother. 1999, 48:401-410; hereinafter “Anderson”) as evidenced by an admission in U.S. 2005/0169934. Applicants respectfully traverse.

The claims at issue in this rejection depend from either independent claim 8 or independent claim 26, two claims which were not included in this rejection and thus considered by the Examiner to be nonobvious over the cited prior art. Therefore, the rejection of claims 3-5, 14, 23, 20-22, 27-29, 31, and 46 under 35 U.S.C. §103(a) over Parker in view of Anderson and U.S. 2005/0169934 moot, and Applicants respectfully request withdrawal of this rejection.

**E. Conclusion**

The foregoing is believed to be a complete response to the Office Communication dated July 9, 2008. The Examiner is invited to contact the undersigned attorney at (512) 536-5639 with any questions, comments or suggestions relating to the referenced patent application.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Monica De La Paz" with a stylized flourish at the end.

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Date: October 26, 2009